

| UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY | |
|--|---|
| HANNA PEREZ PC Joseph James Gianetti, Esq. Attorney ID No. 093352013 185 Route 17 South Paramus, New Jersey 07652 (201) 224-9400, Fax: (201) 224-9401 Attorney for LUSE AKDEMIR | |
| In re: BED BATH & BEYOND INC., <i>et al.</i> , Debtors. ¹ | Chapter 11 Case No. 23-13359 (VFP) (Jointly Administered) |

**ORDER MODIFYING THE AUTOMATIC STAY AND PLAN
INJUNCTION TO ALLOW MOVANT TO CONTINUE PENDING
LITIGATION AGAINST THE DEBTOR, TO RECOVER SOLELY AGAINST
DEBTOR'S INSURER, WAIVING THE PROVISIONS OF FED. R. BANKR. P.
4001 (a) (3) AND FOR RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through two (2) is
ORDERED.

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

Order Modifying the Automatic Stay and Plan Injunction to Allow Movant to Continue Pending Litigation Against the Debtor, to Recover Solely Against Debtor's Insurer, Waiving the Provisions of Fed. R. Bankr. P. 4001 (a)(3)
Page 2

This matter having come before the Court by way of a Notice of Motion for an Order Modifying the Automatic Stay and Plan Injunction to Allow Movant to Continue Pending Litigation against the Debtor, to Recover Solely against Debtor's Insurer, Waiving the Provisions of Fed. R. Bankr. P. 4001 (a) (3) and for related relief (the "Motion"), filed by Hanna Perez, PC, attorneys for Luse Akdemir (the Movant"), and after consideration of the moving papers, opposition, if any, and arguments of counsel, and for good cause having been shown:

IT IS HEREBY ORDERED:

1. The Motion is hereby GRANTED.
2. The Automatic Stay and/or the Discharge Injunction is hereby modified to permit the Movant to institute and/or resume and prosecute to conclusion the personal injury lawsuit styled as Akdemir v. Bed, Bath & Beyond, Inc., et al. pending in the Superior Court of New Jersey, Law Division, Bergen County under Docket Number BER-L-3313-23.
3. Such relief and recovery is limited to the extent of available insurance coverage.
4. Movant may join the Debtor and/or any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other Chapter of the Bankruptcy Code.
5. The fourteen (14) day stay provisions of Fed. R. Bankr. P. 4001 (a) (3) are hereby deemed waived and dispensed with.
6. Nothing in this Order shall serve to modify the rights or defenses held by any Insurer under its insurance policy or other contractual agreement(s) between the Debtor and Insurer, The Bankruptcy Code, or other applicable laws.